IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

WP(C).No. 26726 of 2006(F)

PETITIONER:

P.KUTTIAPPU MENOKI, AGED 63 YEARS,
S/O.ACHUTHAN NAIR (LATE), `VRINDAVAN',
DOWN HILL, MALAPPURAM.

BY ADV. SRI.BABU S. NAIR,
SRI.JIJO PAUL,
SMT.DEEPTHI S.MENON,
SRI.ABRAHAM SAMSON,
SRI.P.A.RAJESH.

RESPONDENTS:
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1. **THE KERALA STATE ELECTRICITY BOARD,**
   REPRESENTED BY ITS SECRETARY,
   VYDHUTHI BHAVAN, TRIVANDRUM.

2. **THE CHIEF ENGINEER, K.S.E.B.**
   (ADMINISTRATION), PATTAM, TRIVANDRUM.

3. **THE DEPUTY CHIEF ENGINEER,**
   ELECTRICAL CIRCLE, K.S.E.B.,
   MANJERI, MALAPPURAM DISTRICT.

4. **THE DEPUTY TAHSILDAR (RR),**
   ERNAD TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB,
GOVT. PLEADER SMT. N. SUDHADEVI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.26726/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE SHOW CAUSE NOTICE ISSUED TO THE PETITIONER BY THE R.3. DTD. 13/10/2004.

EXT.P.2: COPY OF THE REPLY SUBMITTED BY THE PETITIONER DTD. 25/10/2004 TO EXHIBIT P.1. SHOW CAUSE NOTICE.

EXT.P.3: COPY OF THE REVENUE RECOVERY NOTICE ISSUED TO THE PETITIONER BY THE R.4. DTD. 19/09/2006.

EXT.P.4: COPY OF THE ORDER OF THE R.3. AS ORDER NO. EBI/37/03/2002 DTD. 18/01/2005.

EXT.P.5: COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE R.2. DTD. 07/10/2006.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.26726 of 2006-F

Dated this the 7th day of March, 2007

JUDGMENT

The writ petitioner is aggrieved by Ext.P4 order of the third respondent. Therefore, he has preferred Ext.P5 appeal before the Chief Engineer of the K.S.E.B. The petitioner prays the said officer may be directed to consider and pass orders on it expeditiously.

2. The learned Standing Counsel for the K.S.E.B. submitted that the said appeal is received and pending.

The Writ Petition is disposed of directing the second respondent to consider and pass orders on Ext.P5, in accordance with law, within two months from the date of production of a copy of this judgment. Further proceedings pursuant to Ext.P3 will remain in abeyance for four months from today or till the disposal of the appeal whichever is earlier.

K.BALAKRISHNAN NAIR, JUDGE.

MS